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**PATENT**

Atty. Docket No: **1021-3 CON**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: James R. Matera, Jr.

EXAMINER: Erez, Darwin P.

SERIAL NO.: 10/757,009

GROUP: Art Unit 3731

FILED: January 14, 2004

DATED: January 28, 2008

FOR: **SURGICAL TATTOOING APPARATUS AND METHOD**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL FORM**

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [ ] Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been established by a verified statement previously submitted.
- [ ] A verified statement to establish small entity under 37 C.F.R. § 1.9 and 1.27 is enclosed.
- [X] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDIT. RATE FEE	ADDIT. RATE FEE
TOTAL	10	MINUS 20	=	X 25 \$	X 50 \$ 0
INDEP.	3	MINUS 3	=	X 43 \$	X 86 \$ 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				X 140 \$	X 280 \$ 0
				TOTAL	OR TOTAL \$ 0
				ADDIT. FEE	\$ 0.00-

\* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

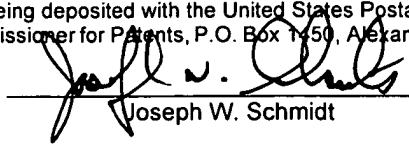
\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

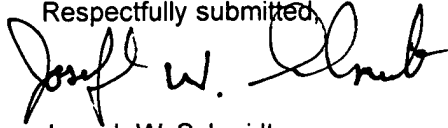
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on date below.

Dated: January 28, 2008

  
Joseph W. Schmidt

- ☐ Please charge Deposit Account No. 50-2140 in the amount of \$ . Two (2) copies of this sheet are enclosed.
- ☐ A check in the amount of \$ is enclosed.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 50-2140. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-2140 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Joseph W. Schmidt  
Reg. No. 36,920  
Attorney for Applicant(s)

***Carter, DeLuca, Farrell & Schmidt, LLP***

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JWS/td



**RESPONSE UNDER 37 CFR 1.111  
EXAMINING GROUP ART UNIT 3731**

Atty. Docket No: 1021-3 CON

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: James R. Matera, Jr. EXAMINER: Erezo, Darwin P.  
SERIAL NO.: 10/757,009 GROUP: Art Unit 3731  
FILED: January 14, 2004 DATED: March 16, 2007  
FOR: **SURGICAL TATTOOING APPARATUS AND METHOD**

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL AMENDMENT**

Sir:

In response to the Notice of Non-Compliant Amendment mailed January 14, 2008, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

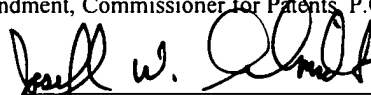
**Remarks/Arguments** begin on page 5 of this paper.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 28, 2008.

Dated: January 28, 2008

  
Joseph W. Schmidt